

REMARKS

Reconsideration and allowance are respectfully requested.

Claims 1-29 were pending. In this response, claims 14-23 and 29 are cancelled as directed to non-elected subject matter. Accordingly, claims 1-13 and 24-28 are pending and at issue.

Notice of Related Applications

The Examiner is informed of co-pending U.S. application 10/669,537, filed September 24, 2003.

Restriction Requirement

The Examiner has required restriction of the claims of this application to one of the following invention groups: Group I (claims 1-13 and 24-28), directed to polypeptides; Group II (claims 14-18 and 21), directed to nucleic acids; Group III (claim 19), directed to a transgenic animal; Group IV (claim 20), directed to a transgenic plant; Group V (claim 22), directed to a production method involving a transgenic animal; Group VI (claim 23), directed to a production method involving a transgenic plant; and Group VII (claim 29), directed to methods of treatment.

In this response, Applicants affirm the election of the invention of Group I for prosecution in this application, and have cancelled claims 14-23 and 29 as being directed to a non-elected invention. Applicants reserve the right to pursue non-elected claims in divisional applications.

Rejection Under 35 U.S.C. § 112, Second Paragraph

Claims 1-13 and 24-28 have been rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness. The Examiner has pointed out that SEQ ID NO:1 as represented in the Sequence Listing does not correlate with the residues cited in the claims.

As part of this response, a revised Sequence Listing is submitted to correct errors in the original Sequence Listing. The revised Sequence Listing, specifically SEQ ID NO:1, now corresponds to the sequence of Factor VII as disclosed in Figure 1 of the

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specification as originally filed; no new matter is added. Applicants enclose a 3.5" floppy disk containing the Sequence Listing. The content of the attached paper entitled "SEQUENCE LISTING" and of the accompanying identically labelled diskette is the same. On this basis, it is respectfully submitted that this rejection has been overcome and may be withdrawn.


Double Patenting

Claims 1-6, 8-11, 13, and 24-28 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1, 9, 12-16, 18-20, 35, 35, 40, and 55-56 of co-pending application serial no. 10.255,032. Claims 1 and 2 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1, 4, 6, and 7 of copending application serial no. 10/109,498 (the "498 application"). Appropriate terminal disclaimers are appended herewith. Accordingly, it is respectfully submitted that these rejections have been overcome.

In view of the above response, it is respectfully submitted that the claims are in condition for allowance, and a determination to that effect is earnestly solicited.

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Respectfully submitted,



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